

**RESPONSE TO COMMENTS**  
**on the Draft Title V Permit to Operate Renewal**  
**for ASARCO LLC. - Mission Complex - San Xavier**

**(TO-ROP 10-02)**

December 1, 2011

**I. Response to Comments Raised During the Public Comment Period**

This section contains EPA's responses to all comments on the draft title V permit renewal for the ASARCO Mission Complex that were submitted during the public comment period. The public comment period ran from September 27, 2011 through October 27, 2011. EPA received comments from ASARCO and the Pima County Department of Environmental Quality (PDEQ).

**II. Written comments from ASARCO**

**Comment 1 (statement of basis)**

*1.a – ASARCO LLC is the registered name for this facility.*

*Asarco's mailing address is: 4201 West Pima Mine Road (Not P.O Box 111).*

*1. d – Please change the name to ASARCO LLC – Mission Complex.*

*1. e – The 4th sentence should start "EPA has jurisdiction . . . ."*

*1. g – The second sentence in this section states "Any physical or operational limitation on the maximum capacity of SRMG to emit . . . ." SRMG should be changed to "ASARCO LLC – Mission Complex".*

*2nd paragraph, 2nd sentence should begin "ASARCO LLC – Mission Complex . . . ."*

*6. – The 2nd sentence should be changed to "The title V permit renewal that EPA is issuing to ASARCO LLC – Mission Complex . . . ."*

**EPA Response:**

These comments only request minor edits for accuracy in the statement of basis for the proposed permit, and EPA has made the changes.

**Comment 2 (draft permit)**

*Page 1 – Please remove the comma between ASARCO and LLC.*

*Page 4*

*1.A – Please change the Parent Company Name to ASARCO LLC.*

*Please change the parent company Mailing Address to: 4201 West Pima Mine Road.*

*Description of Process should be changed to “The ASARCO LLC – Mission Complex.”*

**EPA Response:**

These comments only request minor edits for accuracy in the proposed permit, and EPA has made the changes.

**III. Written comments from the Pima County Department of Environmental Quality**

**Comment 1**

*In our April 28, 2009, letter to Ms. Deborah Jordan (attached) we expressed our concern with excess emissions from Tailings 1 – 3 on the Tohono O’odham reservation. ASARCO had stated that they planned to permanently cap the aforementioned tailings.*

*PDEQ understands the capping for the tailings by ASARCO has been completed. While the capping of tailings on the reservation portion has addressed control of emissions from this area, PDEQ remains concerned that other fugitive emissions mining activities such as hauling, dozing, grading, land clearing, vehicle travel, and unloading remain unregulated and thus are a potential source of excess fugitive emissions.*

*PDEQ recognizes that EPA has promulgated a Federal Implementation Plan (FIP) for preconstruction review of major and minor sources located in Indian country. The FIP however, has no requirements for existing sources. PDEQ requests that EPA consider establishing a memorandum of understanding or similar agreement with ASARCO that they control fugitive emissions from activities noted above in a similar fashion to controls used when conducting similar fugitive emission producing activities in the PDEQ issued permit.*

*An agreement as discussed above will allow all fugitive emission producing activities on the reservation to be subject to the same controls as sources under our authority and continue to prevent any violations of the health based PM10 standard. Any assistance your office could provide would be greatly appreciated.*

**EPA Response:**

The letter from PDEQ did not contain any particular comments on our proposed permit or statement of basis, and is therefore beyond the scope of this Part 71 permit renewal action. As such, we did not make any changes to the permit as a result of this letter. EPA Region IX is receptive, however, to discussing the concerns raised by PDEQ in its letter outside of the scope of this title V permitting process.